

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2011 FEB -9 AM 11:06

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY [Signature]  
DEPUTY

JOHN SIMMONS,

MOVANT,

V.

UNITED STATES OF AMERICA,  
RESPONDENT.

§  
§  
§  
§  
§  
§  
§

A-10-CA-427-LY  
(A-08-CR-337(07)-LY)

**FINAL JUDGMENT**

Before the Court is the above-entitled cause. On this same date, the Court dismissed John Simmons's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. Accordingly, the Court renders the following Final Judgment pursuant to Federal Rule of Civil Procedure 58.

**IT IS ORDERED** that John Simmons's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 is **DISMISSED WITHOUT PREJUDICE**

**IT IS FURTHER ORDERED** that the above-entitled cause is **CLOSED**.

SIGNED this 9th day of February, 2011.

[Signature]  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE